



UNITED STATES PATENT AND TRADEMARK OFFICE

TH

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/523,200

08/23/2005

Markus Stahuber

P05,0005

8641

26574

7590

10/10/2007

SCHIFF HARDIN, LLP
PATENT DEPARTMENT
6600 SEARS TOWER
CHICAGO, IL 60606-6473

EXAMINER

BEATTY, ROBERT B

ART UNIT

PAPER NUMBER

2852

MAIL DATE

DELIVERY MODE

10/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/523,200

Applicant(s)

STAHUBER, MARKUS

Examiner

Robert Beatty

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-40 and 42 is/are allowed.
- 6) ☒ Claim(s) 41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/27/2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>01/27/05; 05/11/07</u> | 6) <input type="checkbox"/> Other: _____ |

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings, including replacement figures 2 and 5, are of an informal nature. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

3. Claims 21-40,42 are objected to because of the following informalities:

in claim 21, last line, change "residential" to --residual--;

in claims 22 and 32, line 4, change "dissipation" to --deactivating--;

in claim 25, line 1, change "clai" to --claim--;

in claims 26 and 27, the applicant recites "the cleaning station" and "the residual toner reservoir" but two have been recited beforehand;

in claims 30 and 40, line 2, "given" is not understood;

in claim 31, line 9, hand writing an amendment (i.e. "affected") to a claim is not allowed in U.S. practice;

in claims 31 and 42, last paragraph, the applicant recites "at least one of the two residual toner reservoirs" but only one has been recited. It is recommended to include the second cleaning and toner reservoir so as to make sense of the phrase "to exchange both residual toner reservoirs";

claims 36-38 should be checked for clarity when amending claim 31 (see objection to claims 26 and 27);

Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakurai (JP# 11-194675) in view of Yoshida (JP# 2002-169385).

Sakurai teach a method of operating an electrophotographic printing device comprising providing a light sensitive medium (photoconductive drum 25) in which electrostatic latent image are formed via an exposure device 24, providing a developing device 29 for developing the latent images with toner, and providing a transport belt 20 for transporting recording medium past the photoconductive drum

and which have the toner images transferred thereto by electrostatic attraction via transfer member 26 connected to a bias power supply (see for example paragraphs 41-44). The photoconductive drum has a cleaning device 27 for cleaning and storing toner from the photoconductive surface. The transport belt has cleaning devices 55,62 for scraping toner off the surface of the transport belt and in which this cleaning toner falls into toner containers 52,61. A toner quantity sensor 63 will sense when the toner container 52 is full and will indicated to an operator that replacement is necessary.

Specifically, Sakurai teach everything claimed except deactivating the transfer bias when there is not recording medium present. Yoshida teach an printing system using a recording medium transport belt 11 and transfer members 23 having a bias power source 26 connected thereto. As described in the abstract, when a transfer operation is not being performed, the transfer members have the bias power source lowered. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a lower bias applied to the transfer members when a transfer operation is not being performed because waste of power can be reduced.

5. Claims 21-40 and 42 are allowable over the prior art of record.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

JP#885, Yoshiiura (JP#499), Kawamura et al. (JP#644), Kasahara et al., Kawamura et al., Katsumi et al., and Hirano all teach various cleaning devices for transport belts.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Beatty whose telephone number is (571) 272-2130. The examiner can normally be reached on M-F from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray, can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/523,200

Page 6

Art Unit: 2852

/Robert Beatty/

Primary Examiner

Art Unit 2852

September 25, 2007